

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IRENE VALENTIN, as Mother and
Natural Guardian, of AUTUMN VALENTIN and
IRENE VALENTIN, Individually,

Docket # 08 CV 02484

Plaintiffs,

-against-

MORRIS HEIGHTS HEALTH CENTER and
BRONX LEBANON HOSPITAL CENTER

Defendants.

DEFENDANT'S NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that upon the accompanying Attorney Affidavit of Timothy S. Brennan, Esq. and supporting exhibits attached thereto, and the Memorandum of Law in Support, dated March 17, 2008, and all other prior pleadings and proceedings herein, the undersigned, on behalf of defendant Morris Heights Health Center, will move this Court, on a date to be set by the Court pursuant to paragraph 2 (d) of Judge Colleen McMahon's individual practices, at the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, for an order pursuant to Fed.R.Civ.P. 12 (b) (6) dismissing all claims against defendant Morris Heights Health Center, together with such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, must be served within ten (10) business days pursuant to Local Rule 6.1.

Respectfully submitted,

PHELAN, PHELAN & DANEK, LLP

By: 

TIMOTHY S. BRENNAN, ESQ.

Bar Roll No.: TB9890

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